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02 CLERK U.S. DISTRICT COURT
03 WESTERN DISTRICT OF WASHINGTON
04 BY DEPUTY

05 UNITED STATES DISTRICT COURT
06 WESTERN DISTRICT OF WASHINGTON
07 AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR14-197 RAJ
09 Plaintiff,)
10 v.) DETENTION ORDER
11 DANIEL MEJIA-VELAZQUEZ,)
12 Defendant.)
13

Offense charged:

Conspiracy to Distribute Controlled Substances:

Methamphetamine, Heroin and Cocaine

Date of Detention Hearing: July 14, 2014.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

01 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

02 (1) Defendant was born in Mexico, and is a citizen of that country.

03 (2) The United States alleges, and defendant admits, that his presence in this

04 country is illegal. There is an immigration detainer pending against him. If

05 this court were to order him released on conditions on these charges, he would

06 transfer into immigration custody. The issue of detention is therefore

07 essentially moot.

08 (3) In light of that detainer, defendant and his counsel did not contest the issue of

09 detention.

10 (4) According to the AUSA, an AR-15 rifle, which was reported stolen, and

11 ammunition were located at the defendant's residence, and seized.

12 (5) Defendant has a history of alcohol and controlled substance use.

13 (6) The nature of the charges creates a rebuttable presumption of detention, both

14 for dangerousness and flight risk. Defendant has not effectively rebutted that

15 presumption.

16 (7) The court concurs in the recommendation of the pretrial Services Office that

17 defendant be detained.

18 (8) If the immigration detainer were removed, or if there is other new information

19 which meets the standard of 18 USC ¶3142(f), defendant may move to reopen

20 the detention issue.

21

22 It is therefore ORDERED:

- 01 1. Defendant shall be detained pending trial and committed to the custody of the
- 02 Attorney General for confinement in a correction facility separate, to the extent
- 03 practicable, from persons awaiting or serving sentences or being held in custody
- 04 pending appeal;
- 05 2. Defendant shall be afforded reasonable opportunity for private consultation with
- 06 counsel;
- 07 3. On order of the United States or on request of an attorney for the Government, the
- 08 person in charge of the corrections facility in which defendant is confined shall deliver
- 09 the defendant to a United States Marshal for the purpose of an appearance in
- 10 connection with a court proceeding; and
- 11 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel
- 12 for the defendant, to the United States Marshal, and to the United States Pretrial
- 13 Services Officer.

14 DATED this 14 day of July, 2014.

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16 John L. Weinberg
17 United States Magistrate Judge
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